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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/753,686	01/04/2001	Adrian E. Colley	6502.0267	1658
22852	7590	06/22/2005	EXAMINER	
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413			NGUYEN, VAN H	
		ART UNIT		PAPER NUMBER
				2194

DATE MAILED: 06/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/753,686	COLLEY ET AL.
	<b>Examiner</b>	<b>Art Unit</b>
	VAN H NGUYEN	2194

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### **Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 12 December 2003.

2a)  This action is **FINAL**.                    2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

4)  Claim(s) 1-18 is/are pending in the application.  
4a) Of the above claim(s) 10-14, 16 and 18 is/are withdrawn from consideration.  
5)  Claim(s) \_\_\_\_\_ is/are allowed.  
6)  Claim(s) 1-9, 15 and 17 is/are rejected.  
7)  Claim(s) \_\_\_\_\_ is/are objected to.  
8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All    b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)  Notice of References Cited (PTO-892) 4)  Interview Summary (PTO-413)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948) Paper No(s)/Mail Date. \_\_\_\_.  
3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) 5)  Notice of Informal Patent Application (PTO-152)  
Paper No(s)/Mail Date 9/25/01, 11/27/01, 6/12/02, 10/3/02, 6)  Other: \_\_\_\_.

**DETAILED ACTION**

1. Applicant's election of group I (claims 1-9, 15, and 17), filed December 12, 2003 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).
2. Claims 1-18 are pending in this application. Claims 10-14, 16, and 18 are withdrawn from consideration.
3. Applicant is required to cancel non-elected claims 10-14, 16, and 18 in the next response to this office action.

*Specification*

4. The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code (see pp. 3 and 8). Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01.

*Claim Rejections - 35 USC § 103*

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-9, 15, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over the **Admitted Prior Art (APA)** in view of **McQuistan et al. (US 6, 321, 275 B1)**.

7. As to claim 5, APA teaches (pp. 2-4) the invention substantially as claimed including a method in a distributed system (distributed systems) for passing a first object and a second object to a recipient (objects are passes between a client and a server), wherein the first object and the second object are instances (instance) of a class (a class), comprising the steps of:

passing the first object to the recipient (objects are passes between a client and a server) with a descriptor of the class (a class descriptor); and

passing the second object to the recipient (objects are passes between a client and a server).

APA does teach passing the object with a descriptor of the class. However, APA does not specifically teach the use of a handle to access the descriptor of the class.

McQuistan teaches the use of a handle to access the descriptor of the class (see the abstract and col.3, line 58-col.4, line 11).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of McQuistan with APA because McQuistan's teachings would have provided the capability for eliminating the use of stubs with server side

application programs and therefore redundant code and data are minimized throughout the system.

8. As to claim 6, McQuistan teaches assigning the handle to the descriptor of the class (col.4, lines 26-43).

9. As to claim 1, the rejection of claim 5 above is incorporated herein in full. Additionally, APA further teaches storing the descriptor by the recipient (the contents of the object were saved; page 4, lines 2-3). McQuistan discloses storing the handle by the recipient (col.3, line 58-col.4, line 11).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of McQuistan with APA because McQuistan's teachings would have reduced storage requirement by reducing the duplication of code throughout the data processing system.

10. As to claim 2, McQuistan teaches assigning, by the sender, the handle to the descriptor of the class (col.3, lines 60-66).

11. As to claim 3, McQuistan teaches assigning, by the recipient, the handle to the descriptor of the class (col.6, lines 47-65).

12. As to claim 4, McQuistan teaches using the descriptor by the recipient to interpret the first object; and using the descriptor by the recipient to interpret the second object (see the abstract).

13. As to claim 7, note the discussion of claim 1 above for rejection.

18. As to claim 8, McQuistan teaches assigning the handle to the descriptor of the class (col.3, lines 60-66 and col.6, lines 47-65).

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14. As to claim 9, McQuistan teaches using the descriptor to interpret the first object; and using the descriptor to interpret the second object (see the abstract).

15. As to claim 15, note the rejection of claim 1 above. Claim 15 is the same as claim 1, except claim 15 is a system claim and claim 1 is a method claim.

16. As to claim 17 note the rejection of claim 1 above. Claim 17 is the same as claim 1, except claim 17 is a computer-readable medium claim and claim 1 is a method claim.

### ***Conclusion***

17. Any inquiry or a general nature or relating to the status of this application should be directed to the TC 2100 Group receptionist: (571) 272-2100.

18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to VAN H. NGUYEN whose telephone number is (571) 272-3765. The examiner can normally be reached on Monday-Thursday from 8:30AM - 6:00PM. The examiner can also be reached on alternative Friday.

19. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor Meng-Ai An can be reached on (571) 272-3756.

20. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

21. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:  
Commissioner for patents  
P O Box 1450  
Alexandria, VA 22313-1450



MENG-AL T. AN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100

vhn